

unless the FAA also finds that compliance with that amendment or regulation would not contribute materially to the level of safety of the product or would be impractical.

(d) If the FAA finds that the regulations in effect on the date of the application for the change do not provide adequate standards with respect to the proposed change because of a novel or unusual design feature, the applicant must also comply with special conditions, and amendments to those special conditions, prescribed under the provisions of § 21.16, to provide a level of safety equal to that established by the regulations in effect on the date of the application for the change.

(e) An application for a change to a type certificate for a transport category aircraft is effective for 5 years, and an application for a change to any other type certificate is effective for 3 years. If the change has not been approved, or if it is clear that it will not be approved under the time limit established under this paragraph, the applicant may do either of the following:

(1) File a new application for a change to the type certificate and comply with all the provisions of paragraph (a) of this section applicable to an original application for a change.

(2) File for an extension of the original application and comply with the provisions of paragraph (a) of this section. The applicant must then select a new application date. The new application date may not precede the date the change is approved by more than the time period established under this paragraph (e).

(f) For aircraft certificated under §§ 21.17(b), 21.24, 21.25, and 21.27 the airworthiness requirements applicable to the category of the product in effect on the date of the application for the change include each airworthiness requirement that the FAA finds to be appropriate for the type certification of the aircraft in accordance with those sections.

(g) Notwithstanding paragraph (b) of this section, for transport category airplanes, the applicant must show compliance with each applicable provision of part 26 of this chapter, unless the applicant has elected or was required to comply with a corresponding amend-

ment to part 25 of this chapter that was issued on or after the date of the applicable part 26 provision.

[Doc. No. 28903, 65 FR 36266, June 7, 2000, as amended by Amdt. 21-90, 72 FR 63404, Nov. 8, 2007; Amdt. 21-96, 77 FR 71695, Dec. 4, 2012; Doc. No. FAA-2015-1621, Amdt. 21-100, 81 FR 96689, Dec. 30, 2016]

### Subpart E—Supplemental Type Certificates

SOURCE: Docket No. 5085, 29 FR 14568, Oct. 24, 1964, unless otherwise noted.

#### § 21.111 Applicability.

This subpart prescribes procedural requirements for the issue of supplemental type certificates.

#### § 21.113 Requirement for supplemental type certificate.

(a) If a person holds the TC for a product and alters that product by introducing a major change in type design that does not require an application for a new TC under § 21.19, that person must apply to the FAA either for an STC, or to amend the original type certificate under subpart D of this part.

(b) If a person does not hold the TC for a product and alters that product by introducing a major change in type design that does not require an application for a new TC under § 21.19, that person must apply to the FAA for an STC.

(c) The application for an STC must be made in the form and manner prescribed by the FAA.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53387, Oct. 16, 2009; Doc. No. FAA-2018-0119, Amdt. 21-101, 83 FR 9169, Mar. 5, 2018]

#### § 21.115 Applicable requirements.

(a) Each applicant for a supplemental type certificate must show that the altered product meets applicable requirements specified in § 21.101 and, in the case of an acoustical change described in § 21.93(b), show compliance with the applicable noise requirements of part 36 of this chapter and, in the case of an emissions change described in § 21.93(c), show compliance with the applicable fuel venting and exhaust emissions requirements of part 34 of this chapter.

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(b) Each applicant for a supplemental type certificate must meet §§ 21.33 and 21.53 with respect to each change in the type design.

[Amdt. 21-17, 32 FR 14927, Oct. 28, 1967, as amended by Amdt. 21-42, 40 FR 1033, Jan. 6, 1975; Amdt. 21-52A, 45 FR 79009, Nov. 28, 1980; Amdt. 21-61, 53 FR 3540, Feb. 5, 1988; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-71, 57 FR 42854, Sept. 16, 1992; Amdt. 21-77, 65 FR 36266, June 7, 2000]

### § 21.117 Issue of supplemental type certificates.

(a) An applicant is entitled to a supplemental type certificate if the FAA finds that the applicant meets the requirements of §§ 21.113 and 21.115.

(b) A supplemental type certificate consists of—

(1) The approval by the FAA of a change in the type design of the product; and

(2) The type certificate previously issued for the product.

[Doc. No. 5085, 29 FR 14568, Oct. 24, 1964, as amended by Amdt. 21-92, 74 FR 53387, Oct. 16, 2009]

### § 21.119 Privileges.

The holder of a supplemental type certificate may—

(a) In the case of aircraft, obtain airworthiness certificates;

(b) In the case of other products, obtain approval for installation on certificated aircraft; and

(c) Obtain a production certificate in accordance with the requirements of subpart G of this part for the change in the type design approved by the supplemental type certificate.

[Doc. No. 5085, 29 FR 14568, Oct. 24, 1964, as amended by Amdt. 21-92, 74 FR 53387, Oct. 16, 2009]

### § 21.120 Responsibility of supplemental type certificate holders to provide written permission for alterations.

A supplemental type certificate holder who allows a person to use the supplemental type certificate to alter an aircraft, aircraft engine, or propeller must provide that person with written permission acceptable to the FAA.

[Doc. No. FAA-2003-14825, 71 FR 52258, Sept. 1, 2006]

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### Subpart F—Production Under Type Certificate

SOURCE: Docket No. 5085, 29 FR 14568, Oct. 24, 1964, unless otherwise noted.

#### § 21.121 Applicability.

This subpart prescribes rules for production under a type certificate.

#### § 21.122 Location of or change to manufacturing facilities.

(a) A type certificate holder may utilize manufacturing facilities located outside of the United States if the FAA finds no undue burden in administering the applicable requirements of Title 49 U.S.C. and this subchapter.

(b) The type certificate holder must obtain FAA approval before making any changes to the location of any of its manufacturing facilities.

(c) The type certificate holder must immediately notify the FAA, in writing, of any change to the manufacturing facilities that may affect the inspection, conformity, or airworthiness of its product or article.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53387, Oct. 16, 2009; Amdt. 21-92A, 75 FR 9095, Mar. 1, 2010]

#### § 21.123 Production under type certificate.

Each manufacturer of a product being manufactured under a type certificate must—

(a) Maintain at the place of manufacture all information and data specified in §§ 21.31 and 21.41;

(b) Make each product and article thereof available for inspection by the FAA;

(c) Maintain records of the completion of all inspections and tests required by §§ 21.127, 21.128, and 21.129 for at least 5 years for the products and articles thereof manufactured under the approval and at least 10 years for critical components identified under § 45.15(c) of this chapter;

(d) Allow the FAA to make any inspection or test, including any inspection or test at a supplier facility, necessary to determine compliance with this subchapter;